

CHILD PROTECTION POLICY

...showing Christ's love to children



We believe:

- God has created us in His image – each person is unique and precious
- God commands that we love each other in the way that Christ loved
- God calls on His people to take action in issues of justice and compassion, where those in need may not be able to protect themselves
- Our school must be a safe and encouraging place for children, free from all abuse and neglect or the risk of these
- Christ's death is the highest price for every pleasure and the deepest comfort in every pain
- As a community we are all responsible for the physical, spiritual, emotional and psychological well-being of each child
- A marriage between a husband and wife committed to each other for life is the appropriate arena for sexual activity

and we recognise:

- Reportable conduct and neglect may be present in our school community
- We have a legal responsibility to take appropriate action in cases of suspected neglect and abuse.
- In issues of child protection we must maintain a child focus
- Contributing factors must never be misconstrued as excuses for neglect or abuse.
- All staff positions may involve unsupervised face-to-face contact with children, and therefore all positions within the school constitute child-related work.

therefore we will:

1. Protect children and comply with any Acts and Regulations in NSW - Child Protection (Working with Children) Act 2012; Ombudsman Amendment (Child Protection and Community Services) Act 1998; Child Protection (Working with Children) Regulation 2013
2. Be sensibly alert to the risk of significant harm to children (reportable conduct).
3.
 - a. Require all employees and self-employed people who work at the school (eg music tutors) to provide a current Working With Children Check Clearance Number, as per Child Protection (Working with Children) Regulation 2013.
 - b. Require all employees and self-employed people who work at the school (eg music tutors) to apply for a new Working With Children Check Clearance every 5 years
 - c. Verify the validity of all Working With Children Check Clearance Numbers
 - d. Immediately remove from child-related employment any person whose Working With Children Check status is changed to barred, interim bar or not found.
 - e. Refuse to employ new staff who are barred persons or persons who do not hold a current Working with Children Check Clearance Number.
 - f. For child-related work, refuse to engage self-employed people who cannot provide a valid Working With Children Check Clearance Number.
4. Follow legal and school protocols when there are reasonable grounds to suspect reportable conduct by someone who is not an employee of the school, when we are aware that there has been an allegation of reportable conduct or when a child is at risk of significant harm or when a child is in need of care. (School personnel are required by law to report. Failure to report is an offence without penalty under Section 316 of the NSW Crimes Act.)
5. Follow legal and school protocols when an employee of the school is implicated in any allegation of reportable conduct or is discovered to have a conviction for, or to have been subject to any disciplinary proceeding in relation to, reportable conduct. This will be done within 30 days. (According to the requirements under the Ombudsman Amendment [Child Protection and Community Services] Act 1998)
6. Offer understanding, compassion and care for victims of abuse / reportable conduct or neglect.
7. Declare to the Principal if we (i.e. staff member) are charged or convicted of a child abuse / reportable conduct or neglect offence or our Working with Children Check status is changed to barred, interim bar or not found.
8. Protect staff from mischievous or false allegations.
9. Inform all new staff (at the time of commencement) and existing staff (at the first or second staff meeting for the year) of the legal responsibilities related to child protection, mandatory reporting and other relevant school expectations.
10. Exchange information as appropriate and as needed with other "prescribed bodies".

1. Protect Children

Protect children and comply with any Acts and Regulations in NSW - Child Protection (Working with Children) Act 2012; Ombudsman Amendment (Child Protection and Community Services) Act 1998; Child Protection (Working with Children) Regulation 2013:

1. Only touching a student in public view and in ways that are traditionally acceptable and appropriate to the circumstances with consideration to:

- The child's age (a hug for a 5 year old may be OK, but a hug for a 15 year old may not.)
- The gender of the child (sensitive medical treatment should be completed by same gender.)
- The personal wishes and individual space of the child.
- The nature of an activity (e.g. gymnastics, drama, dancing etc)

2. Not using any form of corporal punishment.

3. Speaking with truth, love and justice.

4. Interacting with integrity, compassion and transparency.

(Staff members may not court, date or develop a romantic relationship with students enrolled at the school.)

5. Preferably not being alone with a child.

If, in appropriate circumstances (e.g. Learning Support tuition, interviews, exam assistance etc) an adult is alone with a child, then:

- They should be visible (door ajar, curtains open)
- Another staff member should be aware of the situation.

6. Maintaining the dignity and confidence of each student by meeting their needs for:

Safety	Physical well-being
Recognition	Love
Help	Happiness
Direction	Freedom
Hope	

7. Teaching units on protective behaviours.

8. Require all new staff and volunteers who are not close relatives of a child to provide a Working with Children Check Clearance Number.

9. Be alert to the ever changing need to address issues of child protection on the Internet via computers, phones and other devices e.g. location settings, pornography. Address these.

2a. Be sensibly alert to the risk of significant harm to children (reportable conduct):

Knowing the definitions and indicators of child abuse.

NB There are usually clusters of indicators.

Physical abuse - NON-ACCIDENTAL injury to a child.

1. Disclosure by the child or someone else
2. When the child reports the abuse of someone else, but may be referring to himself or herself
3. Marked delay between injury and presentation for medical assistance
4. History of injury which is vague, bizarre or variable
5. Facial head and neck bruising
6. Lacerations and welts from excessive discipline or physical restraint
7. Explanation by the child is not consistent with the injury
8. Other bruising and marks that may show the shape of the object that caused it e.g. hand print or buckle.
9. Bite marks and scratches
10. Ingestion of poisonous substances, alcohol or harmful drugs
11. Dislocations, sprains, twisting
12. Burns and scalds
13. Female genital injury or mutilation
14. Head injuries that might have been caused by severe shaking
15. Care giver has threatened to kill or significantly injure the child
16. Domestic violence is an issue

Psychological harm - behaviour by a parent / caregiver which can destroy the confidence of a child, resulting in significant emotional deprivation and trauma.

Children sustain emotional harm from all the types of abuse and neglect.

1. Feelings of worthlessness about life and self
2. Inability to value others
3. Lack of trust in people and expectations
4. Lack of inter-personal skills necessary for adequate functioning
5. Extreme attention seeking behaviour
6. Other behavioural disorders e.g. disruptiveness, aggression, bullying.
7. Domestic violence.

Common sense should prevail. If in doubt, check with the Principal.

Sexual abuse - ANY sexual act or threat imposed on a child

1. Child describes sexual acts (“----- hurts my wee-wee”)
2. Direct or indirect disclosures
3. Age inappropriate behaviour and / or persistent sexual behaviour
4. Self-destructive behaviour, drug dependency, suicide attempts, self-mutilation
5. Persistent running away from home
6. Anorexia, over-eating
7. Going to bed fully clothed
8. Regression in developmental achievements in younger children
9. Child being in contact with a known or suspected perpetrator of sexual abuse
10. Unexplained accumulation of money and gifts
11. Injuries to the genitalia, anus or perineal region
12. Sexually transmitted diseases
13. Adolescent pregnancy
14. Trauma to the breasts, buttocks, lower abdomen or thighs
15. Indication of stress such as:
 - a. poor concentration at school
 - b. sleeping / bedtime problems e.g. nightmares, bed wetting
 - c. marked changes in behaviour or mood. Tantrums, withdrawal, aggression
16. The child complains of stomach aches and headaches with no physical findings

2b. Be sensibly alert to the “risk of significant harm”:

Knowing that the circumstances that are causing concern for a child’s safety, welfare or wellbeing are:

1. Present to a significant extent
2. Sufficiently serious to warrant a response by a statutory authority irrespective of a family’s consent
3. Not minor or trivial
4. May reasonably be expected to produce a substantial and demonstrable adverse impact on their safety, welfare or well being, or in the case of an unborn child, after the child’s birth.
5. May be a single act of omission or an accumulation of these

2c. Be sensibly alert to issues of relinquishing care

Knowing the circumstances that might indicate that the carer has relinquished care of the child.

1. The child is currently alone or will be alone in the next 3 days in circumstances that create danger
2. There have been incidents in which the child was injured or narrowly escaped significant injury because the parent or care giver was absent or not paying attention to the child.
3. The child indicates distress at being overlooked by parent or care giver.

2d. Be sensibly alert to child neglect:

Knowing the definition and indicators of neglect:

Neglect: not meeting the physical, emotional, psychological, supervision, medical, mental health or educational needs of a child.

1. Poor standards of hygiene leading to social isolation
2. Scavenging or stealing food
3. Extended stays at school, public places, other homes
4. Being focussed on basic survival
5. Extreme longing for adult affection
6. A flat and superficial way of relating, lacking a sense of genuine interaction
7. Anxiety about being abandoned or dropped
8. Self-comforting behaviour e.g. rocking, sucking
9. Non-organic failure to thrive
10. Delay in developmental milestones
11. Loss of “skin bloom”
12. Poor hair texture
13. Untreated physical problems and illnesses
14. Lack of psychological nurturing
15. Being left alone inappropriately without supervision
16. Absent from school for extended periods without appropriate reason

2e. Be sensibly aware of the contextual factors that might contribute to child abuse or neglect:

1. History of previous harm to the child
2. Abuse or neglect of a sibling
3. Family history of violence
4. Domestic violence
5. Physical or mental health issues for the parent or caregiver affecting their ability to care for the child
6. The parent or caregiver's abuse of alcohol or drugs affecting their ability to care for the child
7. A developmental disability of the parent or caregiver affecting their ability to care for the child
8. Parent or caregiver is experiencing significant problems in managing the child's behaviour
9. The parent or caregiver has unrealistic expectations of age appropriate behaviour in the child

2f. Be sensibly aware of concerns about carers:

Knowing that the competence and disposition of parents and care givers are factors in the wellbeing of a child:

1. Substance abuse is impacting the carer's ability to meet the needs of the child or threatens to cause the child significant harm or the child's behavior indicates the impact of the carer's substance abuse
2. The carer's mental health concerns are impacting the carer's ability to meet the needs of the child or threatens to cause the child significant harm or the child's behavior indicates the impact of the carer's mental health concerns.

2g. Be sensibly aware of concerns about domestic violence

Knowing indicators of domestic violence that may impact the life of the child or young person:

1. Use of a weapon
2. Attempt to suffocate or kill
3. Serious injury to the adult
4. Patterns of violence
5. Child's observation of abuse
6. Fear of parent or care giver

3.

- a. **Require all employees and self-employed people who work at the school (eg music tutors) to provide a current Working With Children Check Clearance Number, as per Child Protection (Working with Children) Regulation 2013.**
- b. **Require all employees and self employed people who work at the school (eg music tutors) to apply for a new Working With Children Check Clearance every 5 years**
- c. **Verify the validity of all Working With Children Check Clearance Numbers**
- d. **Immediately remove from child-related employment any person who's Working With Children Check status is changed to barred, interim bar or not found.**
- e. **Refuse to employ new staff who are barred persons or persons who do not hold a current Working With Children Check Clearance Number.**
- f. **Refuse to engage self-employed people who cannot provide a valid Working With Children Check Clearance Number.**

- 1) From 15 June 2013, all applicants for positions in the school (both employees and self-employed people such as music tutors) have to provide a valid Working with Children Check Clearance Number. To obtain a Working With Children Check, applicants go to www.newcheck.kids.nsw.gov.au

All staff employed prior to 15 June 2013 must provide to the school a Working with Children Check Clearance Number by 31 December 2016.

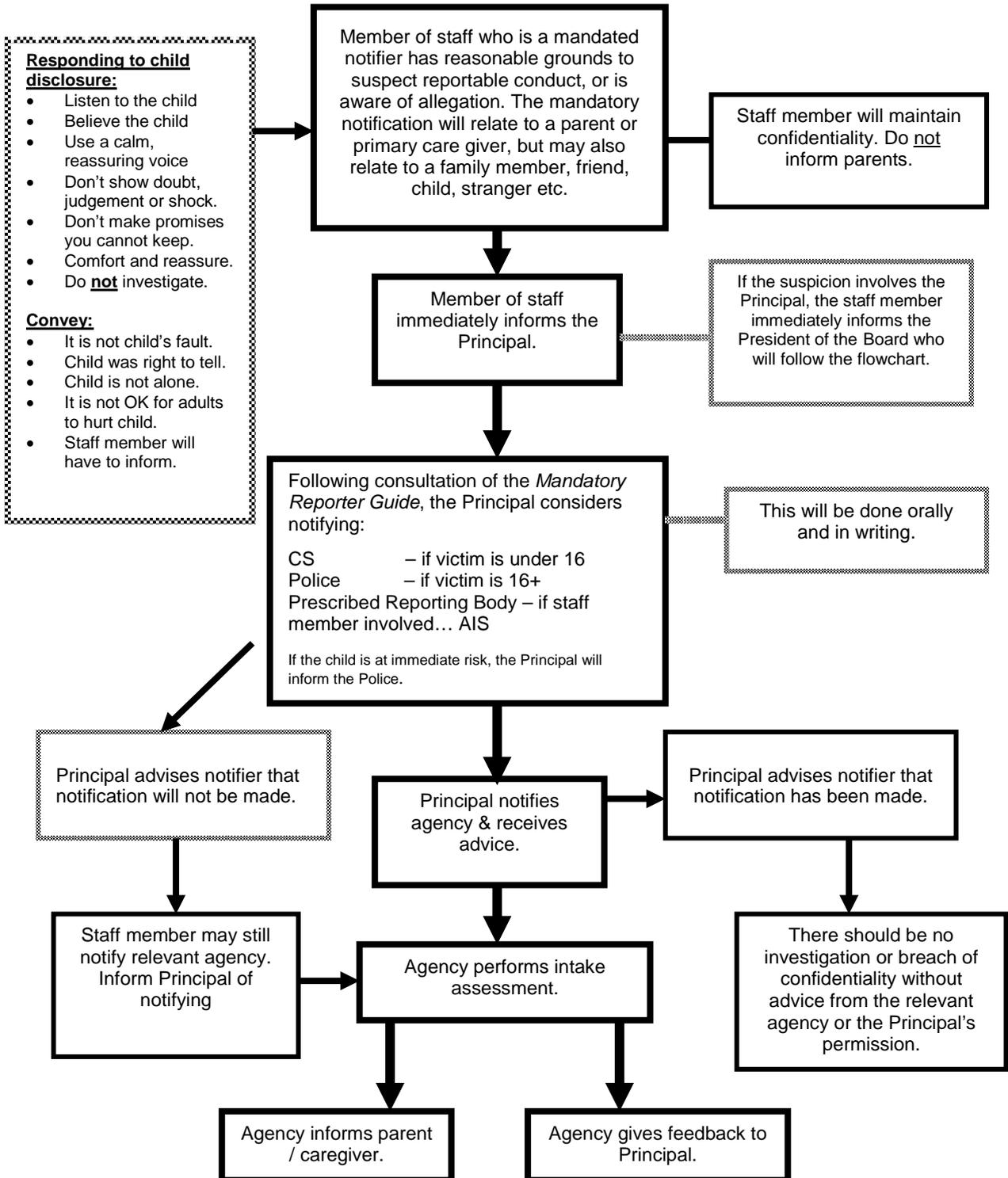
- 2) Employees and self-employed people will bear the cost of obtaining a Working With Children Check Clearance Number
- 3) The school will verify the status of a potential employee's or self-employed person's Working with Children Check clearance prior to engaging them in employment.
- 4) The school will not employ or engage any person whose Working with Children Check status is Barred, Interim Barred or Not Found.
- 5) The school will maintain records of all employees and self-employed people's Working With Children Check Clearance Number, expiry date and evidence of verification
- 6) The school will register all employees and self-employed people engaged with the school via the Working with Children Check employer portal.
- 7) If the Commission for Children and Young People notifies the Principal that a registered employee or self-employed person's Working with Children Check status is changed to Barred or Interim Barred, the school will immediately remove this person from child-related work. This may involve immediate termination of employment.
- 8) Employees and self-employed people are responsible for supplying a new Working with Children Check Clearance Number to the school prior to expiry of their current Working with Children Check Clearance (every 5 years)
- 9) The Principal will report any serious disciplinary matters to the prescribed *reporting bodies*, the Association of Independent Schools in NSW and Christian Education National Ltd.
- 10) Require all volunteers who are not close relatives of a current student to provide a Working with Children Check Clearance Number.

4. Follow legal and school protocols when there are reasonable grounds to suspect reportable conduct by someone who is not an employee of the school - when we are aware that there has been an allegation of reportable conduct or when a child is at risk of significant harm or when a child is in need of care:

(School personnel are required by law to report. Failure to report is an offence without penalty under Section 316 of the NSW Crimes Act.)

NOTIFICATION FLOWCHART

Principal will keep documentation of each step.
Principal will care for and support the notifying person.



5. Follow legal and school protocols when an employee of the school is implicated in any allegation of reportable conduct or is discovered to have a conviction for, or to have been subject to any disciplinary proceeding in relation to, reportable conduct. This will be done within 30 days.

(According to the requirements under the Ombudsman Amendment [Child Protection and Community Services] Act 1998, and Child Protection (Working with Children) Regulation 2013)

1. Allegations of reportable conduct might relate to (whether or not, in any case, with the consent of the child; whether or not the allegation occurred whilst on duty; whether or not the allegation is made anonymously):
 - 1.1. Sexual misconduct i.e. indecent assault, sexual assault, aggravated sexual assault, sexual intercourse or attempted intercourse, possession / dissemination / production of child pornography, using children to produce pornography, procuring children under 16 years of age for unlawful sexual activity, deemed non-consensual sexual activity on the basis of special care relationships
 - 1.2. Physical force
 - 1.3. Ill-treatment
 - 1.4. Neglect
 - 1.5. Psychological harm

2. Behaviour that falls within accepted community practice will not be reported:
 - 2.1. Comforting a child who has hurt himself or herself.
 - 2.2. Responding to a student in order to protect that student or other students from harm
 - 2.3. Physical force that is trivial or negligible
 - 2.4. Behaviour that is reasonable for the purposes of discipline, management or care
 - 2.5. Touching a child to attract attention or to guide them
 - 2.6. A teacher raising his or her voice to attract attention or to restore order
 - 2.7. Conduct that is accidental

3. Allegations of reportable conduct involving an employee of the school will be made to the Principal (the Head of Agency) in person or in writing. "Employee of the school" includes paid staff members, contractors, volunteers and the like. If a staff member becomes aware of a reportable allegation, reportable conduct or reportable conviction regarding another employee of the school, the staff member will inform the Principal within 24 hours.

4. If the Principal is the subject of the allegation, the allegation will be made in person or in writing to the President of the Board (for adults – parents, staff members etc) or Deputy Principal (for all students).

5. The Principal (or President of the Board or Team Leader) will notify the Prescribed Reporting Body when the complaint or information constitutes on the face of it an allegation of reportable conduct or an allegation of misconduct that may involve reportable conduct (unless the behavior is part of the arranged "Class and Kind" that may be investigated by the School's Accredited Investigator i.e. someone who has completed the AIS course. See Pt 9 below). This will be done within 30 days.

6. When an allegation of reportable conduct is made against a school employee, the Principal (or President of the Board or Team Leader) will determine whether there are grounds to suspect a child is "at significant risk" and whether a report should be made to Community Services or the Police.

7. Subject to any investigation that may be carried out by Community Services or the Police, the Principal or delegate (or President of the Board or Team Leader or a delegate) will investigate whether such allegations form a breach of discipline which should be dealt with and reported as a Completed Employment Proceeding (CEP). Investigations will be based on sections 5.12 and 5.13 of "Child Protection in the Workplace".

8. In all investigations, the right to be heard and the right to an impartial decision will be enacted with the person who is the subject of the allegation. (See "Procedural Fairness")

9. The Principal (or other staff member or Association member) who has gained accreditation (by AIS) to investigate certain classes or kinds of allegations will investigate these. These include:

Pre-school to Year 4:

Hitting or smacking below the head and neck, grabbing, pushing, pulling or poking a child except where the behaviour resulted in harm or injury to the child or the behavior involved an assault to a child on the head or neck other than with a small and light object as specified below or other allegations of the same type indicate a pattern or escalation of the behaviour.

Year 5 to Year 12:

Any allegation of physical assault below the head and neck except where the behaviour resulted in harm or injury to the child, or the behavior involved an assault to a child on the head or neck other than with a small object as specified below, or other allegations of the same type indicate a pattern or escalation of the behavior. Allegations of unreasonable restraint or use of excessive force to protect a child in a situation which was perceived to be harmful or threatening to the safety of a child, group of children, employee or any other person, which do not fall within the “reasonable conduct” exemption set out in the definition of reportable conduct in s.25A except where the behavior resulted in harm or injury to the child or children.

All age groups – use of objects:

Throwing a small and light object at a child/children except where the object could reasonably be expected to inflict harm, or where it could be inferred that there was intention to harm any child

Hitting a child with a small and light object except where the object could reasonably be expected to inflict harm, or where it could be inferred that there was intention to harm or injure a child/children

Neglect:

First time allegations of neglect where the alleged matter involves a failure to provide supervision or a failure to provide adequate medical treatment where the risk of harm was reasonably perceived at the time to be low, unless a pattern of behavior is evident.

10. Parents will be informed that their child is the subject of an allegation about the conduct of an employee. They will also be informed of findings.
11. Only investigations resulting in a finding of “Sustained” or “Not Sustained – insufficient evidence” will be reported by the Principal to the Prescribed Reporting Body. False, Not Sustained – lack of evidence of weight, Not Reportable Conduct (i.e. trivial / negligible, misconceived, accidental and professional misconduct) findings will not be reported.
12. The President of the Board and the Principal will enact any disciplinary measures.
13. The Principal will maintain records of any CEPs indefinitely. These records will contain:
- 13.1. Content of the allegation(s)
 - 13.2. Employee’s position at the time of the allegation
 - 13.3. Date on which the alleged breach of discipline occurred
 - 13.4. Nature of the disciplinary procedure
 - 13.5. Summary of the evidence obtained during the disciplinary process
 - 13.6. Findings of the investigations (whether substantiated or not)
 - 13.7. Penalty imposed or action taken, if any
14. The information related to any CEP will be treated with utmost confidentiality. It will not be released to an unauthorised person and will be kept in accordance with the principles of the School Privacy Policy.

Investigation of any reportable conduct will follow these guidelines:

1. Clarify the allegation and determine that it is an allegation of reportable conduct, Class or Kind, trivial/negligible or professional misconduct
2. Consult relevant person at AIS.
3. Document and file everything in confidential file
4. Make appropriate notifications to Community Services, Police and Ombudsman
5. Carry out a risk assessment and management (for the victim, the person who is the subject of the allegation, other students, the proper investigation of the allegation and the school's reputation)
6. Inform the parents of any child who is the alleged victim of reportable conduct
7. Instigate class and kind investigation by accredited school investigator, or await direction from CS, Police or Ombudsman. If Class or Kind investigation:
8. Collect all available information
9. Interview all relevant witnesses (All interviews will be electronically recorded)
10. Inform the person who is the subject of the allegation of the meeting to discuss the allegation. Have meeting. Make the employee fully aware of the allegation in writing. The employee will sign and date a copy for filing.
11. Redo the risk assessment and management
12. The employee may access information via Freedom of Information protocols. The school may seek advice from the Association of Independent Schools before disclosing any information.
13. Interview the person who is the subject of the allegation, ensuring procedural fairness. Allow the person the opportunity to respond to the allegation.
14. Consider all the evidence and make a preliminary finding as to whether the allegation is false, vexatious, misconceived, professional misconduct, sustained or not sustained.
15. Inform the person who is the subject of the allegation and the victim's parents of the preliminary finding in writing. (A copy will be signed and dated by the person who is the subject of the allegation and filed).
16. Allow any responses to the preliminary finding.
17. Make a final finding.
18. Report "Sustained" and "Not Sustained – insufficient evidence" findings to the Prescribed Reporting Body. Inform the employee of this action.
19. Activate any disciplinary measures.
20. Redo risk assessment and management.
21. Inform AIS of completed class and kind investigation.

6. Offer understanding, compassion and care of victims of abuse or neglect:

1. Maintain consistent expectations of behaviour in the class and school grounds (i.e. not blurring the boundaries)
2. Maintain confidentiality. (Any breach of confidentiality may result in not being protected under the law from potential civil proceedings for defamation.)
3. Consult with the Principal on the child's progress.
4. Maintain normal love and acceptance.

7. Declare if we are charged or convicted of a child abuse or neglect offence:

Staff members will speak promptly with the Principal.

8. Protect staff from mischievous or false allegations:

1. Not make mischievous or false allegations.
2. Immediately inform the Principal of suspected mischievous or false allegations.
3. The Principal will establish whether the accusation is one that:
 - should be investigated and reported to the Ombudsman
or
 - is a disagreement with the teaching method or management of a staff member and can be dealt with by the Principal or the Principal's nominee.

More information on allegations against employees is available from the Principal.

9. Inform all new staff (at the time of commencement) and existing staff (at the first or second staff meeting for the year) of their legal responsibilities related to child protection, mandatory reporting and other relevant school expectations

The Teacher Exec will enact this requirement.

By the end of Week 2 every year, all staff members will be required to sign a form indicating that they are aware of their responsibilities and are committed to activating their responsibilities.

10. Exchange information as appropriate and as needed with other “prescribed bodies”.

Government agencies and non-government organisations (NGOs) who are "prescribed bodies" may exchange information that relates to a child's or young person's safety, welfare or wellbeing, whether or not the child or young person is known to Community Services, and whether or not the child or young person consents to the information exchange.

Sometimes it only becomes clear that a child or young person is at risk, or has been harmed, when information from a number of sources is combined to create a complete picture about the child or young person and their circumstances.

Further information and advice can be gained from the Principal. Further detail can be found at www.keepthemsafe.nsw.gov.au , www.newcheck.kids.nsw.gov.au, in the AIS Child Protection Guidelines (available from the Principal) and from various Acts and Regulations.

Definitions

Child-Related Work

- (a) Work which involves face-to-face contact with children in a child-related sector. Education is a child-related sector.
- (b) Work in a child-related role

Close Relative

Defined as spouse, de facto partner, child, step-child, sibling, step-sibling, parent, step-parent, aunt, uncle, grandparent, step-grandparent, niece or nephew and includes, in the case of an Aboriginal or Torres Strait Islander, persons who are part of the extended family or kin according to the indigenous kinship system of the person's culture.